

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

**BALTIMORE DIVISION**

JASON ALFORD, DANIEL LOPER, WILLIS  
McGAHEE, MICHAEL McKENZIE, JAMIZE  
OLAWALE, ALEX PARSONS, ERIC SMITH,  
CHARLES SIMS, JOEY THOMAS, and LANCE  
ZENO, Individually and on Behalf of All Others  
Similarly Situated,

Plaintiffs,

vs.

THE NFL PLAYER DISABILITY & SURVIVOR  
BENEFIT PLAN; THE NFL PLAYER  
DISABILITY & NEUROCOGNITIVE BENEFIT  
PLAN; THE BERT BELL/PETE ROZELLE NFL  
PLAYER RETIREMENT PLAN; THE  
DISABILITY BOARD OF THE NFL PLAYER  
DISABILITY & NEUROCOGNITIVE BENEFIT  
PLAN; LARRY FERAZANI; JACOB FRANK;  
BELINDA LERNER; SAM McCULLUM;  
ROBERT SMITH; HOBY BRENNER; and  
ROGER GOODELL,

Defendants.

**Case No. 1:23-cv-00358-JRR**

**JOINT STATUS REPORT CONCERNING PENDING MOTIONS**

Pursuant to the Court’s Order dated September 8, 2025, ECF No. 276 (the “Order”), the Parties respectfully submit this Joint Status Report concerning the motions (save motions to seal) that are currently pending with the Court. There are eight motions currently pending: (1) Plaintiffs’ Motion for Class Certification, ECF No. 102; (2) Defendants’ Motion for Summary Judgment of Plaintiff Daniel Loper’s Claims, ECF No. 115; (3) Defendants’ Motion for Summary Judgment of Plaintiff Jamize Olawale’s Claims, ECF No. 124; (4) Defendants’ Motion for Summary Judgment of Plaintiff Charles Sims’s Claims, ECF No. 125; (5) Plaintiffs’ Motion

to Exclude the Testimony and Opinions of Dr. David Lasater, ECF No. 175; (6) Defendants' Motion to Exclude the Testimony and Opinions of Dr. Anthony Hayter, ECF No. 220; (7) Defendants' Motion to Exclude the Testimony and Opinions of Joseph Garofolo, ECF No. 222; and (8) Plaintiffs' Motion to Strike the Declarations of Roberto Garza and Stephanie Clark, ECF No. 235. For each pending motion, the Parties have prepared a table that identifies, by ECF number, the motion, responses in opposition, replies in support, and surreplies.<sup>1</sup> The tables also indicate the date that the document was filed, whether the document was filed publicly or under seal, and any related documents that are available at other ECF numbers.<sup>2</sup>

### **1. Plaintiffs' Motion for Class Certification**

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
102	Plaintiffs' Motion for Class Certification	Sept. 9, 2024	Public	None
111	Defendants' Opposition to Plaintiffs' Motion for Class Certification	Nov. 18, 2024	Public	None
173	Plaintiffs' Reply in Support of Motion for Class Certification <sup>3</sup>	Apr. 11, 2025	Sealed	ECF No. 172, Plaintiffs' Reply (Public Redacted) ECF No. 172-1, Declaration of B. Barnett ECF Nos. 172-3 to 172-4, Exhibits F-G to the Declaration of B. Barnett
219	Defendants' Surreply in Opposition to Plaintiffs'	July 10, 2025	Sealed	ECF No. 278, Defendants' Surreply (Public Redacted)

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<sup>1</sup> In the interest of brevity, document titles have been streamlined.

<sup>2</sup> Consistent with the Court's Order, the related documents noted in the final column of the chart include redacted or corrected filings and memoranda, declarations, or exhibits that were filed in separate docket entries. The related documents do not include supporting memoranda, declarations, or exhibits that were filed as attachments to ECF number identified in the first column. *See Order at n.1.*

<sup>3</sup> ECF No. 173 is a consolidated brief that includes both Plaintiffs' Reply in Support of Motion for Class Certification (pages 1-24) and Plaintiffs' Memorandum in Support of Motion to Exclude D. Lasater (pages 24-28).

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
	Motion for Class Certification <sup>4</sup>			
240	Plaintiffs' Sur-Surreply in Support of Motion for Class Certification	July 31, 2025	Sealed	None

## 2. Defendants' Motion for Summary Judgment of Plaintiff Daniel Loper's Claims

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
115	Defendants' Motion for Summary Judgment of D. Loper's Claims	Nov. 19, 2024	Sealed	None
197	Plaintiffs' <i>Corrected</i> Consolidated Opposition to Motion for Summary Judgment	May 13, 2025 <sup>5</sup>	Sealed	ECF No. 184, Plaintiffs' <i>Original</i> Consolidated Opposition (Sealed) ECF No. 184-1, Declaration of B. Barnett ECF Nos. 184-3 to 184-18, Exhibits 1-16 to the Declaration of B. Barnett ECF Nos. 185 to 185-23, Exhibits 17-40 to the Declaration of B. Barnett ECF Nos. 186 to 186-16, Exhibits 41 to 57 to the Declaration of B. Barnett ECF No. 191, Plaintiffs' <i>Original</i> Consolidated Opposition (Public Redacted) ECF No. 196, Plaintiffs' <i>Corrected</i> Consolidated Opposition (Public

<sup>4</sup> ECF No. 219 is a consolidated brief that includes both Defendants' Surreply in Opposition to Plaintiffs' Motion for Class Certification (pages 1-20) and Defendants' Opposition to Motion to Exclude D. Lasater (pages 3, 20-30).

<sup>5</sup> Plaintiffs' corrected consolidated opposition was filed on May 13, 2025, but their original consolidated opposition was filed on April 25, 2025.

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
				Redacted)
235	Defendants' Consolidated Reply in Support of Motion for Summary Judgment	July 24, 2025	Sealed	ECF No. 281, Defendants' Consolidated Reply (Public Redacted)

### **3. Defendants' Motion for Summary Judgment of Plaintiff Jamize Olawale's Claims**

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
124	Defendants' Motion for Summary Judgment of J. Olawale's Claims	Nov. 19, 2024	Sealed	None
197	Plaintiffs' <i>Corrected</i> Consolidated Opposition to Motion for Summary Judgment	May 13, 2025 <sup>6</sup>	Sealed	ECF No. 184, Plaintiffs' <i>Original</i> Consolidated Opposition (Sealed) ECF No. 184-1, Declaration of B. Barnett ECF Nos. 184-3 to 184-18, Exhibits 1-16 to the Declaration of B. Barnett ECF Nos. 185 to 185-23, Exhibits 17-40 to the Declaration of B. Barnett ECF Nos. 186 to 186-16, Exhibits 41 to 57 to the Declaration of B. Barnett ECF No. 191, Plaintiffs' <i>Original</i> Consolidated Opposition (Public Redacted) ECF No. 196, Plaintiffs' <i>Corrected</i> Consolidated Opposition (Public Redacted)
235	Defendants' Consolidated Reply in Support of Motion	July 24, 2025	Sealed	ECF No. 281, Defendants' Consolidated Reply (Public Redacted)

<sup>6</sup> Plaintiffs' corrected consolidated opposition was filed on May 13, 2025, but their original consolidated opposition was filed on April 25, 2025.

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
	for Summary Judgment			Redacted)

#### 4. Defendants' Motion for Summary Judgment of Plaintiff Charles Sims's Claims

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
125	Defendants' Motion for Summary Judgment of C. Sims's Claims	Nov. 19, 2024	Sealed	None
197	Plaintiffs' <i>Corrected</i> Consolidated Opposition to Motion for Summary Judgment	May 13, 2025 <sup>7</sup>	Sealed	ECF No. 184, Plaintiffs' <i>Original</i> Consolidated Opposition (Sealed)
				ECF No. 184-1, Declaration of B. Barnett
				ECF Nos. 184-3 to 184-18, Exhibits 1-16 to the Declaration of B. Barnett
				ECF Nos. 185 to 185-23, Exhibits 17-40 to the Declaration of B. Barnett
				ECF Nos. 186 to 186-16, Exhibits 41 to 57 to the Declaration of B. Barnett
				ECF No. 191, Plaintiffs' <i>Original</i> Consolidated Opposition (Public Redacted)
235	Defendants' Consolidated Reply in Support of Motion for Summary Judgment	July 24, 2025	Sealed	ECF No. 196, Plaintiffs' <i>Corrected</i> Consolidated Opposition (Public Redacted)
				ECF No. 281, Defendants' Consolidated Reply (Public Redacted)

<sup>7</sup> Plaintiffs' corrected consolidated opposition was filed on May 13, 2025, but their original consolidated opposition was filed on April 25, 2025.

## 5. Plaintiffs' Motion to Exclude the Testimony and Opinions of Dr. David Lasater

ECF No.	Document	Date Filed	Public Status	Related Documents at Other ECF Nos.
175	Plaintiffs' Motion to Exclude D. Lasater	Apr. 25, 2025	Public	ECF No. 172, Plaintiffs' Memorandum in Support of Motion (Public Redacted)
				ECF No. 172-1, Declaration of B. Barnett
				ECF Nos. 172-5, Exhibit H to the Declaration of B. Barnett
				ECF No. 173, Plaintiffs' Memorandum in Support of Motion (Sealed) <sup>8</sup>
219	Defendants' Opposition to Motion to Exclude D. Lasater <sup>9</sup>	July 10, 2025	Sealed	ECF No. 278, Defendants' Opposition (Public Redacted)
240	Plaintiffs' Reply in Support of Motion to Exclude D. Lasater	July 31, 2025	Sealed	None

## 6. Defendants' Motion to Exclude the Testimony and Opinions of Dr. Anthony Hayter

ECF No.	Document	Date Filed	Public Status	Related Documents at Other ECF Nos.
220	Defendants' Motion to Exclude A. Hayter	July 10, 2025	Public	ECF No. 221, Defendants' Memorandum in Support of Motion (Sealed)
				ECF No. 279, Defendants' Memorandum in Support of Motion (Public Redacted)
244	Plaintiffs' Opposition to Motion to Exclude A. Hayter	Aug. 8, 2025	Sealed	ECF No. 245, Declaration of B. Barnett

<sup>8</sup> ECF No. 173 is a consolidated brief that includes both Plaintiffs' Reply in Support of Motion for Class Certification (pages 1-24) and Plaintiffs' Memorandum in Support of Motion to Exclude D. Lasater (pages 24-28).

<sup>9</sup> ECF No. 219 is a consolidated brief that includes both Defendants' Surreply in Opposition to Plaintiffs' Motion for Class Certification (pages 1-20) and Defendants' Opposition to Motion to Exclude D. Lasater (pages 3, 20-30).

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
270	Defendants' Reply in Support of Motion to Exclude A. Hayter	Sept. 4, 2025	Sealed	None

#### **7. Defendants' Motion to Exclude the Testimony and Opinions of Joseph Garofolo**

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
222	Defendants' Motion to Exclude J. Garofolo	July 10, 2025	Public	ECF No. 223, Defendants' Memorandum in Support of Motion (Sealed)
				ECF No. 280, Defendants' Memorandum in Support of Motion (Public Redacted)
242	Plaintiffs' Opposition to Motion to Exclude J. Garofolo	Aug. 8, 2025	Sealed	None
256	Defendants' Reply in Support of Motion to Exclude J. Garofolo	Aug. 22, 2025	Sealed	None

#### **8. Plaintiffs' Motion to Strike the Declarations of Roberto Garza and Stephanie Clark**

<b>ECF No.</b>	<b>Document</b>	<b>Date Filed</b>	<b>Public Status</b>	<b>Related Documents at Other ECF Nos.</b>
247	Plaintiffs' Motion to Strike the Declarations of R. Garza and S. Clark	Aug. 15, 2025	Public	ECF No. 248, Plaintiffs' Memorandum in Support of Motion (Sealed)
264	Defendants' Opposition to Motion to Strike Declarations of R. Garza and S. Clark	Aug. 29, 2025	Sealed	None
282	Plaintiffs' Reply in Support of Motion to Strike Declarations of R. Garza and S. Clark	Sept. 12, 2025	Sealed	None

Date: September 22, 2025

/s/ Benjamin R. Barnett

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